

Murray City Municipal Council Chambers Murray City, Utah

The Municipal Council of Murray City, Utah, met on Tuesday, the 21st day of June, 2011 at 6:30 p.m., for a meeting held in the Murray City Council Chambers, 5025 South State Street, Murray, Utah.

Roll Call consisted of the following:

Jim Brass,	Council Chair
Krista Dunn,	Council Member
Darren Stam,	Council Member - Conducted
Jared Shaver,	Council Member
Jeff Dredge,	Council Member

Others who attended:

Dan Snarr,	Mayor
Jan Wells,	Chief of Staff
Carol Heales,	City Recorder
Frank Nakamura,	City Attorney
Craig Burnett,	Assistant Police Chief
Ann von Weller,	Deputy Public Services Director
Gilbert Gonzales,	Chief Building Official
Tim Tingey,	Community & Economic Development Director
Pat Wilson,	Finance Director
Scott Baker,	Murray Area Chamber of Commerce
Pamela Manson,	Salt Lake Tribune
Peri Kinder,	Valley Journal
Citizens	
Scouts	

5. OPENING CEREMONIES

5.1 Pledge of Allegiance - Jordan Schweikart, Boy Scout

5.2 Approval of Minutes for May 17, 2011

Call vote taken, All Ayes.

5.3 Special Recognition

None scheduled

- 5.4 Mr. Stam stated that there is a tradition in Murray to have the Boy Scouts in attendance stand and introduce themselves, their troop leaders, and which Merit Badges they are working on.

The Scouts introduced themselves.

6. **CITIZEN COMMENTS** (Comments are limited to 3 minutes unless otherwise approved by the Council.)

Bill Finch, 1055 Chevy Chase Drive, Murray, Utah

Mr. Finch thanked the Police and Fire Departments for the great presentations that they did at the Emergency Fair. He also thanked the Mayor and Mr. Brass for attending. They had a great turnout with over 300 people and 15 vendors attending and it was a great community effort with the Neighborhood Watch and emergency preparedness.

Public comment closed

7. **CONSENT AGENDA**

None scheduled

8. **PUBLIC HEARINGS**

- 8.1.1 Staff and sponsor presentations and public comment prior to Council action on the following matter:

Consider an Ordinance amending the Fiscal Year 2010-2011 Budget increasing the General Fund by \$1,215,796.

Staff presentation: Patricia Wilson, Finance Director

Ms. Wilson stated that this concerns amending the current Fiscal Year 2011 Budget; this will end on June 30, 2011, and they have seen a couple of things that need to be changed to be in compliance for accounting purposes. There are basically two actions

that need to be reflected in the budget: as part of the budget planning for future years, the City decided that it would be a good idea to pay off some of our lease debt, so that we can cut down on expenditures in future years. In 2009, we did a sales tax bond, and part of that bond allowed for reimbursement to the General Fund for certain qualifying equipment; two of our leases are qualifying type of equipment and they are planning on paying off the two leases-one on the fire truck, and one on the street paver-in order to do that, some accounting adjustments must be made, moving proceeds from leases which are in the Capital Projects Fund into the General Fund to reflect payment of this debt.

When they budgeted for Fiscal Year 2011, they budgeted \$900,000 for payment of the UTOPIA debt; as they close the year, they find that the actual amount is closer to \$1.1 million, so they need to increase the non-departmental for the UTOPIA debt payment by \$200,000.

In summary, these budget revisions would be increasing the General Fund budget by \$1,215,796, with \$200,000 of that being funded by Fund Balance Reserves and \$1,1015,796 funded by bond proceeds from the Capital Projects Fund. The Capital Projects Fund would transfer the bond proceeds to the General Fund for payment of this debt. Ms. Wilson recommends that these revisions be made to the Fiscal Year 2011 budget.

Public Hearing opened for public comment

None given

Public comment closed

8.1.2 Council consideration of the above matter.

Mr. Shaver commented on the wise use of funding as they consider the debts that the City has and the best way and use of that money, even though these bonds were created recognizing that we can take from one and make really make a difference for our City; he really appreciates those who really watch that funding and make the recommendations.

Mr. Brass made a motion to adopt the Ordinance.
Ms. Dunn seconded the motion.

Call vote recorded by Carol Heales.

 A Mr. Stam
 A Mr. Brass
 A Ms. Dunn
 A Mr. Shaver
 A Mr. Dredge

Motion passed 5-0

8.2.1 Staff and sponsor presentations and public comment prior to Council action on the following matter:

Consider an Ordinance adopting the Final 2011-2012 Fiscal Year Budgets for Murray City including the Library Fund Budget.

Mr. Dredge stated that this is a continuation of the Public Hearing held on June 07, 2011. The Council traditionally receives the budget and works with the administration, then it is presented to the Council for consideration and vote. Years ago, instead of voting when that final budget is received, they receive public comment, listen to the citizens, and wait until the next meeting to have time to consider and review it. Then continuing it to the next meeting and give people the opportunity to speak again before a final vote is made. That final vote will be made this evening; as such, he would like to ask the Finance Director if there is anything that she would like to add to this item.

Patricia Wilson, Finance Director, stated that this is basically the same budget that was presented two weeks ago, and there have been no changes since that point. Some of the highlights that may be helpful to those in attendance is that this budget is basically a maintenance type budget, there are not many changes from prior years, other than find some reductions. They have included in the budget some of the main things-there is money to give some early retirement incentives, which is planned to do to reorganize and scale down personnel; there was a need for a 5% increase for health insurance, due to the cost of healthcare going up; there is no cost of living or any kind of salary increases, other than the early retirement incentive payout. As mentioned earlier, they have decreased the lease payments by paying off some leases early; the cost allocation and the payment-in-lieu has decreased from last year, that being roughly \$325,000. Probably the best thing of all is that the City has not asked for any property tax increase in this budget.

Public Hearing opened for public comment

Todd Brightwell, 2209 Oneida Street, SLC, UT

Mr. Brightwell said that he comes representing the Economic Development Corporation of Utah, which has a long relationship with Murray City. Relative to some of the budget cuts that they have become aware of, he wanted to say how grateful they are for the relationship they have with the City; they are a 25 year-old organization, and Murray City was one of the first relationships that started their organization. He is also aware of the challenging times facing the City, relative to budget, like many other cities that are challenged with trying to balance a budget and they are sensitive to that, as they have membership throughout the state.

They are also at a time where there are great opportunities for growth; they are going to find themselves, this year, in a position where they will have more jobs than any other time in their history. Most recently, with an announcement of ITT-which is a composites company that will bring 2,700 jobs here to the Salt Lake Valley. They know that those types of jobs are good jobs, though they will land in a neighboring city, those are the types of high-paying jobs that will buy cars, people will shop at the mall, and do those things. They would make a plea, knowing that the budget is basically set at this point, under strong consideration look for the opportunity to restore that funding when the opportunity becomes available; if there is opportunity to maybe even be considered even now, but realizing that the City has challenges, they are in a position to continue to bring jobs here to the state, and particularly here in the valley.

They are facing similar challenges trying to fund their activities, trying to stay in front of the activities that they have with national site selectors all the time; having the bandwidth to field those projects that ultimately put them in a position to win jobs.

Public comment closed

8.2.2 Council consideration of the above matter.

Ms. Dunn said that this has been a long, arduous process for both the administration and the Council, and as a Council member, she really appreciated the new process with the administration where they have worked very closely together, all the way through, instead of just having it presented to them at the end. It was a tough year for them, and she feels that with all heads together, they have come up with a pretty good stab at this.

Just for the benefit of the audience, the retirement incentive that was offered was very much to trim down the numbers, so that they could deal with the budget that they have without looking at property taxes and cutting services to the citizens. Together they were pretty innovative in what they did. As to programs such as EDCU, they are very

appreciative of them and what they do for the State of Utah, and the City definitely benefits from their program. Again, as you know, they are trying to make ends meet and hopefully at some point they will back to a place where they can get back to where they were.

Finally, the last thing is a reminder that they don't know, exactly, what the incentives for the retirement will play out with the reorganization of the departments, and just so the residents know, there will be some changes to this budget down the line; be looking for educational information to come out to the residents of the city as they look to make those changes to shore up this budget.

Mr. Brass stated that the City has enjoyed the relationship with the EDCU, and we are one of a handful of cities that suffer from a unique problem with sales tax revenue; we got hit hard with the sales tax revenue, and when they changed redistribution, we were guaranteed a certain level for a period of time, and that period of time is rapidly approaching. Our sales tax floor, our guarantee, was at \$12.2 million and we are currently running about \$10.5 million. Even as our revenues grow, we need to grow above that \$12.2 million level to break even; it's why we are taking such a hard look at this budget. If the money comes in, we will revisit a lot of things, but we do appreciate the comments, and as Ms. Dunn said, we will be looking at this for a while yet. The nice part is that we are healthy-financially.

Mr. Shaver expressed his appreciation to the administration; as the Budget Chair, he has appreciated working with all of them, listening to the challenges that they face, and he knows that they have been manifest and they have been many. As they look at all of this, those opportunities that have been presented to those that have taken it, to take that early retirement, has obviously created a challenge for the administration as to how to manage the city in the next while as some of these people leave, as they take some of that intuitive knowledge with them and maintaining that. He knows that there is many considerations in reorganization in how that is done and how to make that happen. He knows that there have been many, many hours that the Council has not been aware of, and the efforts are truly appreciated.

As those proposals come forward in this year, he has talked with all of the Council members and all of them are committed to working with the administration, and to making that happen. As they take those steps and do that reorganization, and as been commented before, it will necessitate a reopening of the budget. He is also getting just as acquainted as he possibly can with that process as to how it works; he wants to be certain that they do the best benefit and job that they possibly can with those very trusted funds that they are given from the citizenry-the people here in Murray -those that live here as well as those who shop here. Because of that, as you bring forward that possible reorganization, he would ask that as part of that, that you also present the budget as to how that department will work, and what that will look like so that when they look at the reorganization they can also then consider how that will effect the budget. They know that it is something that is being worked on now, and

obviously those numbers are not going to be there as they would like them to be, but the best process for that would be to help them in really making that budget work for the next year.

As the City has asked the Council to be patient with them, they ask that they be patient with them as well as they go through the process. They are still considering as much of that as they possibly can, and obviously, the more information that they have the better they can make those decisions.

Mr. Shaver made a motion to adopt the Ordinance.
Mr. Stam seconded the motion.

Call vote recorded by Carol Heales.

 A Mr. Stam
 A Mr. Brass
 A Ms. Dunn
 A Mr. Shaver
 A Mr. Dredge

Motion passed 5-0

9. UNFINISHED BUSINESS

None scheduled

10. NEW BUSINESS

10.1 Consider a Resolution approving an Interlocal Cooperation Agreement between the City and Salt Lake County for cost sharing in a 2011-2016 media campaign regarding storm-water pollution education.

Staff presentation: Anne von Weller, Public Services Deputy Director

Ms. von Weller stated that this is formalizing an agreement that they have had with Salt Lake County for some time; they have participated and partnered with them in education in the past on programs such as “We All Live Downstream” on TV and in movie theaters, that advertises the issues related to storm drains and keeping those clean. They have also participated with fourth-graders in education-there is a Hogle Zoo event that they bring lots of fourth grade students from around the county to participate in, and have their help in our Earth Day Celebrations when we educate our fourth-graders from our local schools. They have provided the city with a lot of materials for that, as well as other

materials in our schools. They maintain a website, Twitter, and Facebook sites as well. The total budget for the program is \$178,000; in the past, we have contributed up to \$7,000, but in this agreement we are asked, for the next five years, to contribute \$5,000 to that program and would urge approval of this Resolution.

Mr. Brass made a motion to adopt the Resolution.
Mr. Shaver 2nd the motion.

Call vote recorded by Carol Heales.

 A Mr. Stam
 A Mr. Brass
 A Ms. Dunn
 A Mr. Shaver
 A Mr. Dredge

Motion passed 5-0

10.2 **Consider an Ordinance amending Sections 15.04.010, 15.04.020, 15.08.010, 15.08.020, 15.08.030, 16.04.100 and 17.54.050. of the Murray City Municipal Code regarding building permit, site plan review, and lot subdivision fees.**

Staff presentation: Anne von Weller, Public Services Deputy Director

Ms. von Weller stated that the next three items on the agenda all are related to increasing certain fees within the City; these have come out of a fee committee study that was chaired by the City's Finance Director and formed by the Mayor and staff. There were several proposals have come forward from the different departments and these are ones that are mostly related to Public Services.

The first one is for building permits, site plan reviews and subdivision fees. There are some housekeeping items that they have also picked up in this Ordinance proposal; for instance: they have added the International Energy Conservation Code because it has been adopted by the State of Utah since the last Ordinance update. They have a few changes, just capitalizing names of specific codes, added the energy and residential codes to the definition of building code so that the administrative code would apply correctly to those codes as well.

These fee increases were completely reviewed by Richman and Associates with a cost analysis and they are fairly modest-they are thinking only an increase of \$28,000 to the City in the next year. It does increase some of the fees for contractor work by 15%, those fees have not increased since 1997 and are well justified by the Richman analysis. They

also raised the minimum fee from \$30.00 to \$50.00 which hasn't been raised since 1994; it also changes the hourly rate for outside of the normal fee process to more accurately reflect the actual costs to the City. These are changes for the one and two family dwellings.

For the multiple family and commercial fees, they have simplified how project completion fees and plan check fees are collected; the actual bottom line is that there is not a cent difference in the amount that is collected and eventually refunded back to a contractor, but it makes it a lot quicker at the front counter to go through some specific numbers that are estimates of what a plan check will cost, rather than stop and try to calculate those costs as a project is submitted. Those are the changes to do with building permit fees.

Ms. von Weller continued on the other fee changes: On the lot split fees, currently there is a \$200 fee by Ordinance and the recommendation of the City attorney is to be more consistent with the way they are publishing and assessing fees that are not specifically spelled out in the Ordinance, and this change allows the Mayor to establish fees based upon the amount to defray the cost of processing a permit. Those will be published in a written schedule that is available for inspection.

On 17.54.50, Site Plan Review Fee, again, this is changed to be consistent with the way we are now establishing fees-by the Mayor- to defray the cost of processing and posting a written schedule of fees.

Mr. Dunn made a motion to adopt the Ordinance.
Mr. Shaver 2nd the motion.

Call vote recorded by Carol Heales.

 A Mr. Stam
 A Mr. Brass
 A Ms. Dunn
 A Mr. Shaver
 A Mr. Dredge

Motion passed 5-0

10.3 **Consider an Ordinance amending Sections 12.12.040 of the Murray City Municipal Code regarding road cut fees.**

Staff presentation: Anne von Weller, Public Services Deputy Director

Ms. von Weller stated that this is for the sidewalk construction repair, which ties into the Safer Sidewalk Program; this fee is only to cover the costs of processing the permits. They actually subsidize the Safer Sidewalk Program quite substantially to the citizens, where they go and tear out a sidewalk at the curb and gutter at the City's expense and then it is replaced by a homeowner. This changes the amount from \$10.00 to \$25.00 and the City only expects to net about \$1,500 annually from this increase.

Mr. Dredge made a motion to adopt the Ordinance.

Mr. Stam 2nd the motion.

Call vote recorded by Carol Heales.

A Mr. Stam

A Mr. Brass

A Ms. Dunn

A Mr. Shaver

A Mr. Dredge

Motion passed 5-0

10.4 **Consider an Ordinance amending Sections 13.040.050 and 13.40.070 of the Murray City Municipal Code regarding Cemetery Fees.**

Staff presentation: Anne von Weller, Public Services Deputy Director

Ms. von Weller said that they did raise the non-resident price of cemetery lots last year and are suggesting raising that price again another \$400 for non-residents, from \$800 to \$1,200. The reason they are asking to do this is because they are running out of lots and would like to reserve those remaining for the residents; this also brings the City competitive with the rest of the valley, and they hope to retain those last 100 lots for Murray citizens.

This Ordinance would also raise the disinterment fee to cover the City's costs, from \$500.00 to \$1,000 when the remains are removed from the cemetery. This is a labor intensive task and even this won't quite cover the costs.

Ms. Dunn asked why the fee is not raised to cover the full cost?

Ms. von Weller said that this comes a lot closer, even though it does not cover the full cost.

Mr. Shaver made a motion to adopt the Ordinance.
Mr. Brass 2nd the motion.

Call vote recorded by Carol Heales.

 A Mr. Stam
 A Mr. Brass
 A Ms. Dunn
 A Mr. Shaver
 A Mr. Dredge

Motion passed 5-0

10.5 **Consider an Ordinance adopting the Rate of Tax Levies for the Fiscal Year commencing July 1, 2011 and ending June 30, 2012.**

Staff presentation: Patricia Wilson, Finance Director

Ms. Wilson stated that we do have the levy rates from the County that can be set tonight; the City is not asking for a property tax dollar increase so they are taking the proposed tax rate that was certified by the County. The proposed rate reflects no increase in property tax dollar request, so the tax revenue that they are requesting for this year for the City is \$5,903,253.00; the library will be requesting, in property tax dollars, \$1,435,836.00; the tax rate that goes along with that, the certified tax rate value, has actually decreased a little so the tax rate itself has increased a little bit from last year. For the City, the new rate will be .001772 and for the library, the new rate will be .000431.

Mr. Brass made a motion to adopt the Ordinance.
Ms. Dunn 2nd the motion.

Call vote recorded by Carol Heales.

 A Mr. Stam
 A Mr. Brass
 A Ms. Dunn
 A Mr. Shaver
 A Mr. Dredge

Motion passed 5-0

12. MAYOR

12.1 Mayor's Report

Mayor Snarr stated that our cemetery fees are extremely reasonable; at Wasatch Lawns they are about \$2,500.00 per plot. It is not a city cemetery, but nevertheless, if you go to other city cemeteries, they are substantial higher. We are running out of lots, and people still want to be buried in the Murray cemetery-it is well maintained cemetery.

Mayor Snarr said that he noticed today that Larry Miller is repaving the Super Used Car Dealership, and the project on the land swap between the LDS Church and the dealership is almost done; the church is also being renovated and should be done in another three weeks or so.

We are all aware of the closure of Vine Street which begins on June 27, 2011; that will be closed until July 17, 2011; they have put out the signage in several locations to make people aware that it will be closed down for approximately 20 days. All of the local businesses have also been notified, and from what he understands, they will make a notification on this as well in the news media.

People have been made aware of this for some time now, and it isn't that big of a deal-either you go over to 5300 South or down 4800 South and go right. Many people probably cut off of 500 West and go over to 4800 South; it was much more challenging when they were rebuilding I-15 than this is, and when you think about it, when we closed 4500 South down, which is a thoroughfare that carries much more traffic than Vine Street does, they did that in 53 days. People can adjust and adapt; he always says: "the mother of convenience was inconvenience" and we are going to be inconvenienced for a while in order to have a greater convenience.

Mayor Snarr stated that we are making a lot of progress, there has been a lot of great work done, and this Vine Street project is the really the last big road project that needs to be completed. 6400 South, 5900 South, and 4800 South are all done, and Vine Street is getting done. The next big project will be the bridge over the 4500 S Frontage Road, which is less traveled, so less of an issue. 4500 South has had the ramp completed as well, and the intersection has been moved to the west.

Mayor Snarr said that the flooding potential is at it's highest this week with the higher temperatures, and may last for a few days; our Fire Department, Parks Department and Public Service Department have stayed on top of this. Sunday we came close to touching the sandbags at the arboretum is, but so far it has held. We have been very lucky with the moderate temperatures bringing the snow pack down slowly, but we will see what this week brings.

He is amazed how well the contractors on 4800 South have done, considering how non-conducive the weather has been for them to work. They are doing a great job.

12.2 Questions of the Mayor

None given

13. ADJOURNMENT